IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1880 OF 2007

Sou. Rafiya Ahamjekhan Shikalgar ...Petitioner
V/s.
Siddhivinayak Cott Spin Pvt.Ltd. & Ors. ...Respondents

Mr.G.M. Savagare for the Petitioner.
Ms.Madhuri Gosar for Respondent No.1.

CORAM : V.M. KANADE, J.

DATED : AUGUST 14, 2007

P.C. :-

. Heard the learned Counsel for the petitioner and the learned Counsel for the respondent no.1.

2. The petitioner herein takes exception to the order passed by the trial Court in RCS No.151/2006 whereby the trial Court was pleased to allow the application filed by the plaintiffs and the defendant to restrain from obstructing the peaceful possession and enjoyment over the suit property by the plaintiffs. This order was challenged by the petitioner herein before the District Court. In the said appeal, the application was filed for granting stay to the impugned order which was passed by the Civil Judge, Junior

Division, Jaysingpur. The Appellate Court rejected the application for interim stay as prayed by the petitioner herein. Being aggrieved by the aforesaid order, the petitioner has filed this petition under Article 227 of the Constitution of India.

3. I have perused the impugned order and also the order passed by the trial Court on the interim application filed by the plaintiffs. In my view, there is no reason to interfere with the said order. In my view, it would be appropriate instead of deciding the petition on merits to direct the District Court to decide Misc.Civil Appeal No.26/2006, as expeditiously as possible and in any case, within a period of two months. Order accordingly.

. With these directions, writ petition is dismissed.

(V.M. KANADE, J.)